IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 16223 of 2004

Between:

Dr.D.Rameshkumar S/o. Ramakrishnaiah
M.G.H. Hospital, Warangal, presently R/o.Hanamkonda, Warangal.

..... PETITIONER

AND

1 The Director of Medical Education Government of Andhra Pradesh
Koti, Hyderabad-50001
2 The Principal, Kakatiya Medical College, Warangal.
3 Dr.R.Ashok Reddy S/o. and age not known to the Petitioner, Associate

Professoor,MGM Hospital, Warangal.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ order or direction, more particularly a writ in the nature of mandamus, declaring the order dated 25.8.2004 as made in OA No.4752/2004 of the Honourable Tribunal and further declare that the action of the 1st and 2nd respondents in unilaterally giving the postings on promotion without conducting the Counselling as was stipulated under G.O.Ms.No.273, dated 21-05-1999 as being illegal and consequently direct the respondent herein to post the applicant in terms with the above G.O. basing on the existing vacancies as on the date of applicant's promotion.

Counsel for the Petitioner:MR.D.SESHADRI NAIDU

Counsel for the Respondents: GP FOR MEDICAL EDUCATION

The Court at the admission stage, made the following :

ORDER : (per Hon'ble Sri Bilal Nazki, J)

The petitioner filed O.A.No.4752 of 2004, which has been dismissed. In this O.A., order dated 19.5.2004 has been challenged. Tribunal found that O.A.No.3376 of 2004 is still pending before the Tribunal. In that O.A. also, the same order dated 19.5.2004 is under challenge. Therefore, in our view, Tribunal was right in dismissing the present O.A., as two O.As. could not have been filed against the same order. The petitioner was not able to get a favourable interim order in O.A.No.3376 of 2004. That does not entitle him to file another O.A. This Writ Petition is misconceived, which is accordingly dismissed. No costs.

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(BILAL NAZKI, J)

29th September, 2004.

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(S.ANANDA REDDY, J)

ajr

To

1 The Director of Medical Education Government of Andhra Pradesh
Koti, Hyderabad-50001
2 The Principal, Kakatiya Medical College, Warangal.
3 Dr.R.Ashok Reddy S/o. and age not known to the Petitioner, Associate

Professoor,MGM Hospital, Warangal.

4 Two C.Cs. to the GP for Medical Education, High Court buildings, Hyderabad

(O.U.T)

5 Two C.D. copies.

6 The Registrar, A.P.Administrative Tribunal, Hyderabad.